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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,258	02/03/2004	James F. Cheatham	21321-0008	2443

7590 07/21/2005

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EXAMINER

VANAMAN, FRANK BENNETT

ART UNIT PAPER NUMBER

3618

DATE MAILED: 07/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

### **Amendment Papers**

1. The reply filed on May 9, 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

The claim amendment papers presented in the most recent amendment are not in conformance with the requirements of 37 CFR 1.173, which governs the manner in which amendments are made to a reissue application.

**37 CFR 1.173(b)(2) Claims.** An amendment paper must include the entire text of each claim being changed by such amendment paper and of each claim being added by such amendment paper. For any claim changed by the amendment paper, a parenthetical expression "amended," "twice amended," etc., should follow the claim number. Each changed patent claim and each added claim must include markings pursuant to paragraph (d) of this section, except that a patent claim or added claim should be canceled by a statement canceling the claim without presentation of the text of the claim.

**37 CFR 1.173(d) Changes shown by markings.** Any changes relative to the patent being reissued which are made to the specification, including the claims, upon filing, or by an amendment paper in the reissue application, must include the following markings:

- (1) The matter to be omitted by reissue must be enclosed in brackets; and
- (2) The matter to be added by reissue must be underlined, except for amendments submitted on compact discs (§§ 1.96 and 1.821(c)). (Matter added by reissue on compact discs must be preceded with "<U>" and end with "</U>" to properly identify the material being added.)

**37 CFR 1.173(g) Amendments made relative to the patent.** All amendments must be made relative to the patent specification, including the claims, and drawings, which are in effect as of the date of filing of the reissue application.

In both sets of claims papers, claims which were not part of the original patent have been shown in bracketing, certain of the newly added claims are shown without being underlined, other newly added claims are shown completely underlined, certain claims added previously, but not part of the original patent, are shown with partial underlining rather than being completely underlined, certain claims are shown as being completely underlined, but additionally include line-through markings as well. Neither set of claim papers is proper under 37 CFR 1.173.

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2. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

3. Any inquiry specifically concerning this communication or earlier communications from the examiner should be directed to F. Vanaman whose telephone number is 571-272-6701.

Any inquiries of a general nature or relating to the status of this application may be made through either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A response to this action should be mailed to:

Mail Stop \_\_\_\_\_  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450,

Or faxed to:

PTO Central Fax: 571-273-8300

F. VANAMAN  
Primary Examiner  
Art Unit 3618



7/13/05